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In re Application of :
Arimilli et al. :
Application No. 10/733,953 : **OFFICE OF PETITIONS**
Filed: December 10, 2003 : **DECISION ON PETITION**
Attorney Docket No. AUS920020194US1 :

This is a decision on the petition, filed September 12, 2008 under 37 CFR 1.137(a), which is being treated as a petition under 37 CFR 1.181 (no fee) requesting withdrawal of the holding of abandonment in the above-identified application.

The petition filed under 37 CFR 1.137(a) is **DISMISSED** as moot.
The petition filed under 37 CFR 1.181 is **GRANTED**.

This application was held abandoned for failure to reply to the non-final Office action mailed December 19, 2005, which set a three (3) month shortened statutory period for reply. A Notice of Abandonment was mailed on August 15, 2006.

Petitioner asserts that the Office action dated December 19, 2005 was not received.

A review of the written record indicates an irregularity in the mailing of the Office action of December 19, 2005. In this regard, the Office received a change of address on June 7, 2004, prior to the mailing of the Office action of December 19, 2005. Office records were not updated to reflect this new change of address. Accordingly, as the Office action was mailed to an incorrect address, the Notice of Abandonment mailed August 15, 2006 is hereby vacated and the holding of abandonment withdrawn.

This application is being referred to Technology Center AU 2189 for appropriate action in the normal course of business on the reply received with petition.

Charlema Grant
Petition Attorney
Office of Petitions